IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2729 OF 2005

Rajkumar Chandrakant Mhatre ...Applicant

Versus

State of Maharashtra ...Respondent

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Mr.S.D.Dharmadhikari for Applicant.

Mr.A.S.Gadkari, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MAY 2, 2005.

P.C.

1. Heard Counsel for the parties. This Application for bail is filed only for medical reasons. It is stated that the Applicant is suffering from kidney stone problem, and which position is established from the medical certificate given by the Civil Hospital. The Court below has considered the grievance of the Applicant and has issued appropriate directions in order dated January 12, 2005, which, in my view, would

meet the ends of justice.

2. The grievance of the Applicant before this Court, however, was that inspite of the said directions, no medical facility has been provided to the Applicant so far. This position is, however, countered by the learned A.P.P.

3. My attention is drawn to letter sent by the Applicant himself to the Chief Medical Officer, Thane Central Prison dated 26th April 2005 that he is not interested in availing of any medical facility at J.J.Hospital. In other words, he has declined to avail the direction given by the lower Court to the jail authorities to provide the Applicant with appropriate medical facility at J.J.Hospital. If it is so, no interference is warranted. Dismissed.

A.M.KHANWILKAR, J.